

N12000003848

(Requestor's Name)

(Address)

(Address)

(City/State/Zip/Phone #)

☐ PICK-UP

☐ WAIT

☐ MAIL

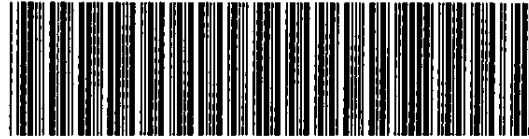
(Business Entity Name)

(Document Number)

Certified Copies _____ Certificates of Status _____

Special Instructions to Filing Officer:

Office Use Only



400226979954

04/12/12--01024--015 **87.50

FILED

12 APR 12 PM 2:16

SECRETARY OF STATE
TALLAHASSEE, FLORIDA

MRS
4/13/12

March 30, 2012

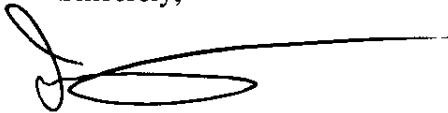
Department of State
Division of Corporations
P.O. Box 6327
Tallahassee, FL 32314

SUBJECT : Polk County Firefighters Benevolent Fund, Inc.

Dear Sir/Madam,

Enclosed please find an original and two copies of the Articles of Incorporation for the Polk County Firefighters Benevolent Fund, Inc. along with a check for \$ 87.50 to cover the costs associated with the filing fee, certificate and a certified copy of the corporate registration /certification.

Sincerely,

A handwritten signature in black ink, appearing to be 'Jay Schwartz', with a long horizontal stroke extending to the right.

Jay Schwartz - President

Polk County Firefighters Benevolent Fund, Inc.
P.O. Box 91836
Lakeland, FL 33804

863-698-6126
jschwar6@tampabay.rr.com

ARTICLES OF INCORPORATION

OF

POLK COUNTY FIREFIGHTERS BENEVOLENT FUND, INC.

A Florida "Not for Profit" Corporation

FILED

12 APR 12 PM 2:16

**SECRETARY OF STATE
TALLAHASSEE, FLORIDA**

The undersigned, acting as incorporator of a corporation under Chapter 617 of Florida Statutes, adopts the following Articles of Incorporation:

NAME OF CORPORATION: The name of the corporation is Polk County Firefighters Benevolent Fund, Inc.

PRINCIPAL OFFICE: The principal office of the corporation is located at 3885 Recker Highway, Winter Haven, Florida 33880

MAILING ADDRESS: The mailing address of the corporation is P.O. Box 91836, Lakeland, Florida 33804

REGISTERED AGENT: Jay Schwartz, 5728 Bambi Drive, Lakeland, Florida 33809

INITIAL OFFICERS :

President: Jay Schwartz

5728 Bambi Drive Lakeland, Florida 33809 863-698-6126

Vice President: Garrett Parnell

304 Lanceolate Drive Winter Haven, Florida 33880 863-287-8193

Secretary: Ben Cassista

832 Barrister Drive Auburndale, Florida 33823 863-412-3817

Treasurer: Dan Bartle

3 Vaughn Road Winter Haven, Florida 33880 863-207-6601

DURATION/MEMBERSHIP: The period of duration is perpetual. The qualifications for members, if any and the manner of their admission shall be regulated by the bylaws.

BOARD OF DIRECTORS: The method of selection of the Board of Directors and number of directors shall be stated in the bylaws.

INCORPORATORS: The name and address of the incorporator is Jay Schwartz, 5728 Bambi Drive, Lakeland, Florida 33809

CORPORATE PURPOSES:

This corporation is organized exclusively for charitable and educational purposes, including, for such purposes, the making of distributions to organizations that qualify as exempt organizations under section 501(c)(3) of the Internal Revenue Code, or corresponding section of any future federal tax code.

Specific purposes include:

1. To raise the awareness of the residents of the Polk County, Florida, area regarding fire hazards and fire safety;
2. To provide recreational opportunities for children who are victims of catastrophic burns at no cost to the victims of their families;
3. To provide education opportunities for firefighters regarding fire prevention, suppression, and control and other matters which may promote the health and general welfare of firefighters.
4. To aid, support and assist by gifts, contributions, or otherwise, other corporations, community chest, funds and foundations organized and operated exclusively for charitable, educational or scientific purposes, no part of the net earnings of which ensures to the benefit of any private shareholder or individual, and no substantial part of the activities of which is carrying on propaganda, or otherwise attempting to influence legislation.
5. To provide smoke detectors and other low-cost fire safety equipment to residents of the Polk County Florida, area who might not otherwise be able to afford such equipment.
6. To do any and all lawful activities which may be necessary, useful or desirable for the furtherance, accomplishment, fostering, or attaining of the foregoing purpose, either directly or indirectly, and either alone or in conjunction or cooperation with others, whether such others be persons or organizations of any kind of nature such as corporations, firms, associations, trust, institutions, foundations, or governmental bureaus, departments of agencies.
7. To assist Firefighters or the families of firefighters in a time of need.
8. All of the forgoing purposes shall be exercised exclusively charitable and educational purposes in such a manner that the Corporation will qualify as an exempt organization under section 501(c) (3) of the corresponding provision of any future United States Internal Revenue law.

501(c)(3) LIMITATIONS

1. **CORPORATE PURPOSES:** Notwithstanding any other provision of these 8 articles, this organization shall not carry on any other activities not permitted to be carried on by an organization exempt from federal and state income tax under section 501(c)(3) of the Internal Revenue Code of 1986 or the corresponding provision of any future United States Internal Revenue law.
2. **EXCLUSIVITY:** The Corporation is organized exclusively for charitable and educational purposes.

3. NO PRIVATE INUREMENT: The Corporation is not organized nor shall it be operated for the primary purpose of generating pecuniary gain or profits. The Corporation shall not distribute any gains, profits, or dividends to the Directors, Officers, or Members thereof, or to any individual, except as reasonable compensation for services actually performed in carrying out the Corporation's charitable and educational purposes. The property, assets, profits and net income of the Corporation are irrevocably dedicated to charitable and educational purposes no part of which shall inure to the benefit of any individual.

4. LOBBYING AND POLITICAL CAMPAIGNS: No substantial part of the activities of the corporation shall consist of the carrying on of propaganda or otherwise attempting to influence legislation, and the corporation shall not participate in, or intervene in, any political campaign on behalf of any candidate for public office.

5. DISSOLUTION: Upon winding up and dissolution of the Corporation, the assets of the Corporation remaining after payment of all debts and liabilities shall be distributed to an organization recognized as exempt under section 501(c)(4) of the Internal Revenue Code of 1986 to be used exclusively for charitable and educational purposes. If the Corporation holds any assets in trust, such assets shall be disposed of in such a manner as may be directed by decree of the Circuit Court of the District in which the Corporation's principal office is located, upon petition thereof by the Attorney General or by any person concerned in the liquidation.

6. "PRIVATE FOUNDATION" PROVISIONS: In the event this Corporation is considered to be a "Private Foundation" by the U.S. Internal Revenue service under provisions of the United States Code the following provisions apply:

a) The Corporation will distribute its income for each tax year at a time and in a manner as not to become subject to the tax on undistributed income imposed by section 4942 of the Internal Revenue Code, or the corresponding section of any future federal tax code.

b) The Corporation will not engage in any act of self-dealing as defined in section 4941(d) of the Internal Revenue Code, or the corresponding section of any future federal tax code.

c) The Corporation will not retain any excess business holdings as defined in section 4943(c) of the Internal Revenue Code, or the corresponding section of any future federal tax code.

d) The Corporation will not make any investments in a manner as to subject it to tax under section 4944 of the Internal Revenue Code, or the corresponding section of any future federal tax code.

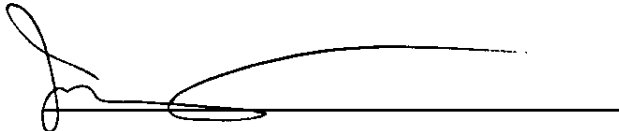
e) The Corporation will not make any taxable expenditure as defined in section 4941(d) of the Internal Revenue Code, or the corresponding section of any future federal tax code.

IDEMNIFICATION:

Any person (and the heirs, executors and administrators of such persons) made or threatened to be made a party to any action, suit or proceeding by reason of the fact that he is or was a Director or Officer of the Corporation shall be indemnified by the Corporation against any and all liability and the reasonable expenses, including attorney's fees and disbursements, incurred by him (or his heirs, executors or administrators) in connection with the defense of settlement of such action, suit or

proceeding, or in conjunction in connection with any appearance, therein, except in relation to matters as to which it shall be adjudged in such action, suit or proceeding that such Director or Officer is liable for negligence or misconduct in the performance of his duties. Such right of indemnification shall not be deemed exclusive or any other rights to which such Director or Officer (or such heirs, executors or administrators) may be entitled apart from this Article.

Having been named as registered agent to accept service of process for the above stated corporation at the place designated in this certificate, I am familiar with and will accept the appointment as registered agent and agree to act in this capacity.

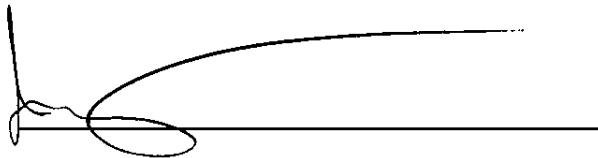


Jay Schwartz— Registered Agent

04/09/12

Date

I submit this document and affirm that the facts stated herein are true. I am aware that any false information submitted in a document to the Department of State constitutes a third degree felony as provided for in Section 817.155, Florida Statutes.



Jay Schwartz, Incorporator

04/09/12

Date

FILED
12 APR 12 PM 2:16
SECRETARY OF STATE
TALLAHASSEE, FLORIDA